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TIMBER-CUTTING CASE IS ARGUED

(Special Bulletin Correspondence.)
WAILUKU, Sept. 30.—The petition of Mrs. Eleanor Wilcox vs. May Brown et al for a temporary injunction to prevent the latter from committing waste on the new Wailohuli-Keoken homestead lots at Kihel beach was heard before Judge S. B. Kingsbury of the Second Circuit Court this morning. A. M. Brown of Honolulu was also present in court. Attorney

Murphy of the firm of Lorrin Andrews represented the plaintiff while Attorney E. M. Watson represented the defendants. A lengthy demurrer was also filed.

The plaintiff did not place anybody on the witness stand. The defendants placed Pia Cockett, manager of the Cornwell Ranch on the stand. Among other things he testified that he never knew klawe or algaroba wood to be used for anything else but firewood, and that their method of burning the brush after cutting the trees for firewood was for the purpose of clearing the way so as to facilitate the hauling of klawe wood, and that new trees would grow up from the burnt stumps in about five years. He said that the late Mr. W. H. Cornwell who obtained a renewal of the lease in 1901 was responsible for the spread of klawe for it was he who imported klawe beans from Honolulu as fodder for stock.

A point was raised that the petition did not state the area nor the particular spot sought to be restrained, and also that the other twenty-two homesteaders who obtained lots at the same time with the petitioner a few months ago were not made either co-plaintiffs or co-defendants. Also that the Wailohuli-Keoken government land leased to the Cornwell Ranch contained 16,000 acres while the lots opened for homestead purposes contained less than 2000 acres. Attorney Murphy then asked the court to discontinue his petition for a temporary injunction, confessed the demurrer, and asked leave to file an amended complaint, which motion was granted by the court.

Inter-island and O. R. & L. Shipping books for sale at the Bulletin office, 50c each.

MAUI GETS RAIN BY THE BUCKET

(Special Bulletin Correspondence.)
WAILUKU, Sept. 30.—All Maui is enjoying rain today. Geo. O. Cooper of Hana reports that 15 inch of rain fell in that ancient town during the last twenty-four hours, and that indications are for more rain. Makawao and Lahaina and other parts of Maui are enjoying the same beneficial results in a steady downpour. Maui has been having a dry spell for several months past, and the upcountry people were beginning to bewail of dry wells, but the wells are filled now to gladden the heart of both man and beast. In that region they travel miles a whole day to bring water home on pack animals. Those getting water from city pipes have no idea, nor do they have such a high appreciation of a visit from Jupiter Pluvius as do the thirsty residents of the Kula district.

Wailuku, too, is having her full share of rain today. The Wailuku Sugar Company reports seven inches of rain from 12 to 6 a. m. and 41 inch for the period from 6 a. m. to 12 noon today, making a total of 48 inch for the twelve hours. Lahaina is also sharing in this rain. "Raining hard up here," was the telephone reply from Maunaloa Seminary at noon today, and the same at Makawao.

New Wash Skirts

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COMMISSION IS INVESTIGATING

(Continued from Page 1)
who on one or more occasions descended upon the work and drew all available men away for a force with which to fight the epidemic of plague then prevailing. Wilson also enters emphatic denial to the charges that his work on Kauai was unsatisfactory. He refers his opponents to the records.

Three Bids Under Consideration.
The Loan Fund Commission has three tenders still under consideration, despite assertions to the contrary. These are:

Theo. Bauman—To complete work by September 30, 1912, at \$88,950.

Lord & Young—To complete work September 1, 1912, at \$79,710.

John H. Wilson—To complete work by December 1, 1912, at \$79,367.

Hustace, Peck Company was a lower bidder than Bauman, but its tender was thrown out because of a failure to enclose a certified check as stipulated in the call for tenders.

Good Roads Cost Money.

The Loan Fund Commission as a whole is of the opinion that the figures submitted by the lower bidders are well within reason, according to information today. The original estimates prepared under the direction of the commission by the engineering staff of the city and county totaled in the neighborhood of \$72,000 for the five-mile stretch of road.

It is claimed that in the section of road now under consideration, there is need for cement culverts which alone should cost at least \$12,000. The laying of macadam of the proposed highway, without taking into consideration any grading of the roadbed, is estimated to cost between five and six thousand dollars a mile.

The Heela section requires much grading, which is an expense that will keep the cost of any old kind of road well up in the thousand of dollars per running mile.

The prospectus for the new road calls for an oil macadam road, and not one with a mere top dressing of oil.

Right of Way May Delay.

The Territorial attorney-general's department has yet failed to secure the necessary right of way for the proposed five-mile section, despite the approach of the time for the letting of the contract. There is a stretch of two miles over which the road is supposed to pass that belongs to the heirs of the Lloyd estate.

While a preliminary move has been made to acquire this land, no definite action has been taken for the reason that the estate and the government have failed to come to a satisfactory agreement. Condemnation proceedings will therefore have to be instituted, and towards this end the government is said to have done nothing. This failure in securing this tract of land may cause a perceptible delay in the construction work, whoever succeeds in landing the contract.

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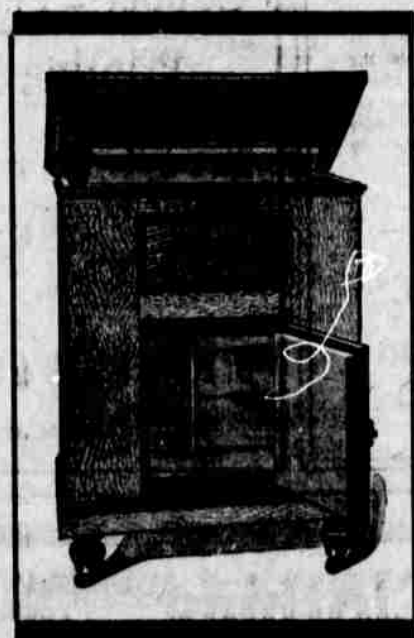
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